

## **REMARKS**

Applicant is in receipt of the Office Action mailed March 25, 2008. Claims 1, 5, 10-13, 16, 19, 21, 24-26, 28, 30, 33, 34, 37, 38, and 40-43 have been amended. Claims 4, 20, 29, and 39 have been canceled. Therefore claims 1-3, 5-19, 21-28, 30-38, and 40-45 are pending in the application. Further consideration of the present case is earnestly requested in light of the following remarks.

Furthermore, the Office Action objected to claims 4-11, 20-24, 29-33, and 39-43, but indicated these claims would be allowable if rewritten in independent format.

## **SECTION 103 REJECTION**

Claims 1-3, 12-19, 25-28, 34-38, and 44-45 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser et al., (U.S. Patent No. 5,265,213) in view of Hennessey and Patterson "Computer Architecture – A Quantitative Approach," 2<sup>nd</sup> edition. Applicant asserts that the present claims are patentable in light of the following remarks.

Independent claims 1, 16, 26, and 37 have been amended to include the allowable subject matter of claims 4, 20, 29, and 39, respectively. Therefore amended independent claims 1, 16, 26, and 37 and their dependent claims are in condition for allowance. Therefore removal of the section §103 rejection of claims 1-3, 12-19, 25-28, 34-38, and 44-45 is respectfully requested.

Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the prior art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

## CONCLUSION

In light of the foregoing amendments and remarks, Applicant submits the application is now in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5150-65801/JCH.

Also filed herewith are the following items:

- ☐ Request for Continued Examination
- ☐ Terminal Disclaimer
- ☐ Power of Attorney By Assignee and Revocation of Previous Powers
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,

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